

### **SCHEDULING OF PERSONAL INTERVIEW**

Applicants' representative thanks Examiner Perungavoor for courtesies extended in the telephone conferences conducted on September 19, 2005, in which the Examiner kindly agreed to the scheduling of a personal interview with Examiner Perungavoor and his Supervisory Patent Examiner on Wednesday, October 5, 2005.

As discussed in the telephone conference, Applicants submit this Amendment in response to the Office Action mailed June 2, 2005. The Remarks below will be discussed in the personal interview. The Examiner kindly stated that, should any additional amendments be deemed to be appropriate as a result of the personal interview, Applicants could enter such amendments by filing a supplemental amendment.

### **REMARKS**

Claims 1-41 are all the claims presently pending in the application.

While Applicant believes that all of the claims are patentable over the cited references, to speed prosecution and allowance of the claims, independent claims 1, 14, 15, 19, 23, 36, and 41 have been amended to define more clearly and particularly the features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-41 stand rejected on prior art grounds.

With respect to the prior art rejections, Claims 1-3, 12, 37, 38, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang (U.S. Patent No. 6,038,333). Claims 4, 11, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of “Core Bibliographic Information in the TIFF Header”, [http://gdz.sub.uni-goettingen.de/en-old/tech\\_notes/tiffheader.html](http://gdz.sub.uni-goettingen.de/en-old/tech_notes/tiffheader.html), updated February 14, 1999) (hereinafter “TIFF”). Claims 5-7, 9, 10, 15-17, 19, and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Kuperstein (U.S. Patent No. 6,128,398). Claims 8, 18, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Kuperstein and further in view of TIFF. Claims 14 and 23-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen et al. (U.S. Patent No. 5,737,491). Claim 41 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang.

These rejections are respectfully traversed in the following discussion.

## **I. THE CLAIMED INVENTION**

Conventional medical systems introduced into hospitals have identification information on patients (patient IDs) and the patients’ diagnosis images or case records relatedly recorded in a database so that the diagnosis images can be read out from the database for use as required. On the other hand, an image photographed using a digital camera is associated with a patient ID. For example, first, the patient ID (number) and the diagnosis image are photographed in connection with each other. Then, the photographed image is associated with the patient ID. Alternatively, the patient ID is input from a keyboard connected to the digital camera, and a folder identical to that for

the patient ID is created so that a photographed image is recorded in this folder (e.g., see specification at page 1, lines 12-22).

The first method is cumbersome because it requires extra operations of photographing the patient ID and associating the photographed image with the patient ID. On the other hand, in the method 2), an operator manually inputs the patient ID, so that an input error is likely to occur, causing the patient to be mistaken for another patient. Further, if an input error occurs, it cannot be easily detected. Furthermore, since the keyboard is connected to the digital camera, it may obstruct the movement of the camera or a change in camera angle during photographing (e.g., see specification at page 1, lines 23-29).

Moreover, with the conventional medical systems, even if a patient ID is displayed on the display of the camera as additional information, it cannot be checked on the basis of the contents of the display whether or not this patient ID matches the patient ID imparted to the patient to be photographed. This results in the need for an extra operation of simultaneously photographing the patient and the patient ID (number) or the like and associating the photographed image with the patient ID, which is cumbersome (e.g., see specification at page 2, line 32, and page 3, lines 1-5).

Further, with a large amount of additional information, the restricted display of the camera (for example, a character liquid crystal) does not allow the entire information to be displayed, thereby also preventing the photographer from checking what additional information is added to the image (e.g., see specification at page 3, lines 6-9).

On the other hand, the claimed invention (e.g., see independent claims 1 and 15) provides an image recording method and apparatus which can simplify the input of

identification information on a subject, which enables an easy check on the correspondence between the subject identification information input before photographing and the subject to be photographed, and which can automatically record information in a format suitable for a database (e.g., see specification at page 3, lines 11-16).

The claimed invention (e.g., see independent claim 14) also provides an image transmitting method which can simplify the input of information on the destination of an image and which can automatically transmit a photographed image to a destination corresponding to the destination information (e.g., see specification at page 3, lines 17-20).

The claimed invention (e.g., see independent claims 23 and 36) also provides an image recording method and system wherein if additional information input from an external device is recorded in connection with an image of the subject, a camera can be used to easily check what added-to-image information is added, whether or not the added-to-image information is correct as information added to the image of the subject, and the like (e.g., see specification at page 3, lines 21-25).

## **II. THE PRIOR ART REJECTIONS**

A. Claims 1-3, 12, 37, 38, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang.

The Examiner alleges that Wang discloses all of the features of claims 1-3, 12, 37, 38, and 40. Applicants respectfully submit, however, that there are features of the claimed invention which clearly are not disclosed or suggested by Wang.

The claimed invention is directed to an exemplary image recording method and apparatus which can simplify the input of identification information on a subject, which enables an easy check on the correspondence between the subject identification information input before photographing and the subject to be photographed, and which can automatically record information in a format suitable for a database (e.g., see specification at page 3, lines 11-16). For example, the claimed invention is particularly suitable for use in taking photographs (e.g., diagnosis images) of a subject (e.g., a patient, an affected part or limb of a patient, etc.) for medical diagnosis. However, the claimed invention clearly is not limited only to patients and/or medical applications.

Turning to the language of the claims, independent claim 1 recites an image recording method including:

*an information loading step of loading identification information on a subject and subject information used by a photographer to confirm an identity of the subject, in a digital camera before photographing the subject;*

*a display step of displaying, on the basis of the subject information, subject information used by the photographer to confirm the identity of the subject on a display device of the digital camera before photographing the subject;*

*a photographing step of photographing the subject using the digital camera after confirming the identity of the subject on the basis of the subject information displayed on the display device; and*

*a recording step of recording the photographed image of the subject in connection with the identification information loaded in the information loading step (emphasis added).*

That is, in the claimed invention, as exemplarily defined by claim 1, the identification information is loaded and displayed before the subject is photographed so that the photographer can confirm the identity of the subject (e.g., the patient) before taking the photograph of the subject. Therefore, the identity of the subject is known

**prior to photographing** the subject and the photographed image can easily be recorded in connection with the identification information of the confirmed subject.

In contrast, Wang does not disclose or suggest these features, as alleged by the Examiner. Instead, Wang clearly discloses that a face image is captured (i.e., the person is photographed) **before** displaying the person-identifying data and confirming the identity of the person, **not after** the person's identity is confirmed.

In fact, in stark contrast to the claimed invention, Wang discloses first capturing the face image, then comparing the captured face image with face images stored in the database to find the person's information (e.g., see Wang at Abstract; see also Figure 4), not displaying and confirming the identity of the person and then capturing the image, as defined, for example, by claim 1.

Particularly, Wang discloses a person identifier and management system which includes a face image database that stores the face feature data of each of a number of face images and the person-identifying data associated with each of the face images. In Wang, a camera is first used to capture an input face image. A face analysis system is then coupled to the camera and the image database to extract the face feature data of the input face image and to compare the face feature data of the previously captured face image with that of each of the face images stored in the database such that the person-identifying data of any stored face image similar to the input face image (i.e., the previously captured face image) can be retrieved from the image database (e.g., see Wang at Abstract; see also Figure 4; see also column 3, lines 19-34; column 5, lines 53-67).

The Examiner relies on column 6, lines 1-11 of Wang for the alleged teaching of photographing the subject after confirming the subject on the basis of the display.

However, Applicant respectfully submits that relied upon portion of Wang merely discloses a case where no match between the previously captured image and the stored face image data is found. In this case, Wang discloses that the previously captured face image can then be stored and the person-identifying information of the captured face image can be manually entered into the device (e.g., see Wang at column 6, lines 1-11; see also column 7, lines 59-65). Thus, Wang clearly would suffer from similar problems in conventional devices associated with manually entering person-identifying information, which have been recognized by Applicant and described in the Background section of the present application.

Thus, in contrast to the claimed invention, Wang clearly discloses that a face image is captured (i.e., the person is photographed) **before** displaying the person-identifying data and confirming the identity of the person, **not after** the person's identity is confirmed. That is, Wang discloses first capturing the face image, then comparing the captured face image with face images stored in the database to find the person's information from the database (e.g., see Wang at Abstract; see also Figure 4), not confirming a subject's identity, then photographing the subject (or a part of the subject), and recording the photographed image in connection with the confirmed identity of the subject, as exemplarily claimed.

In contrast to Wang, in the claimed invention, as exemplarily defined by claim 1, the identification information is loaded and displayed before the subject is photographed so that the photographer can confirm the identity of the subject (e.g., the patient) before taking the photograph of the subject. In this way, the identity of the subject is known **prior to photographing** the subject and the photographed image can easily be recorded

in connection with the identification information of the confirmed subject (e.g., see specification at page 3, lines 11-16).

Thus, for the foregoing reasons, Applicant submits that Wang clearly does not disclose or suggest all of the features of claims 1-3, 12, 37, 38, and 40. Therefore, the Examiner is requested to reconsider and withdraw this rejection.

**B.** Claims 4, 11, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of TIFF.

Applicant submits that dependent claims 4, 11, and 13 also are not rendered obvious from Wang in view of TIFF by virtue of their dependency from independent claim 1, as well as for the additional features recited therein.

That is, TIFF does not make up for the deficiencies of Wang, and indeed, is not relied upon for the features for which Wang is deficient.

Thus, claims 4, 11, and 13 clearly would not have been obvious over Wang and TIFF, either individually or in combination.

**C.** Claims 5-7, 9, 10, 15-17, 19-21, and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Kuperstein.

First, Applicant submits that dependent claims 5-7, 9, 10, and 39 also are not rendered obvious from Wang in view of Kuperstein by virtue of their dependency from independent claim 1, as well as for the additional features recited therein.

That is, Kuperstein does not make up for the deficiencies of Wang, and indeed, is not even relied upon for the features for which Wang is deficient, as set forth above.



Second, with respect to at least dependent claims 6 and 10, the Examiner appears to have mischaracterized the features of Wang. That is, Wang does not disclose or suggest the features of claims 6 and 10, for which the Examiner relies on Wang as disclosing.

The Examiner relies on column 3, lines 59-65, and column 6, lines 1-11 of Wang as disclosing the features of claims 6 and 10, which recite, *inter alia*, that “*while the subject identification information and the subject information are being transmitted to the digital camera, the digital camera is inhibited from being used for photographing*” (emphasis added).

However, the Examiner’s position is not understood because the cited portions of Wang clearly do not disclose or suggest these features, as alleged. Instead, the cited portions of Wang merely disclose a case in which no match between the previously captured image and the stored face image data is found. In this case, Wang discloses that the previously captured face image can then be stored and the person-identifying information of the captured face image can be manually entered into the device (e.g., see Wang at column 6, lines 1-11; see also column 7, lines 59-65).

Thus, Wang does not disclose, suggest, or even mention that “*while the subject identification information and the subject information are being transmitted to the digital camera, the digital camera is inhibited from being used for photographing*” (emphasis added), as recited in dependent claim 6 and 10.

Third, with respect to independent claims 15 and 19, Applicant submits that these claims also are patentable over Wang and Kuperstein for somewhat similar reasons as those set forth above with respect to independent claim 1.

For example, independent claim 15 recites an image recording apparatus,  
including:

*an input device which reads identification information on  
a subject from a recording medium having the information  
recorded thereon;*

*an information transmitting device which reads subject  
information corresponding to the read identification  
information, from a database having the subject information  
already stored in connection with the subject identification  
information and transmits the subject information read from the  
database, together with the identification information read from  
the recording medium, wherein said subject information  
comprises information that can be used to confirm an identity of  
said subject to be photographed;*

*a receiving device which receives the identification  
information and the subject information;*

*a display device which displays the subject information  
on the basis of the received subject information before  
photographing the subject;*

*a photographing device which photographs the subject;  
and*

*a recording device which records the photographed  
subject image in connection with the received identification  
information (emphasis added).*

On the other hand, independent claim 19 recites an image recording apparatus,  
including:

*an input device which reads subject identification  
information and subject information from a recording medium  
having the identification information and the subject  
information recorded thereon, wherein said subject information  
comprises information that can be used to confirm an identity of  
said subject to be photographed;*

*a display device which displays the subject information  
on the basis of the read subject information before  
photographing the subject;*

*a photographing device which photographs the subject;  
and*

*a recording device which records the photographed  
image of the subject in connection with the read identification  
information (emphasis added).*

As mentioned above, Wang clearly does not disclose or suggest displaying the subject information “before photographing the subject”, as recited, for example, in independent claims 15 and 19.

Moreover, Kuperstein does not make up for the deficiencies of Wang, and indeed, is not even relied upon for the features for which Wang is deficient, as set forth above.

Kuperstein, like Wang, discloses first capturing an image and then comparing the captured image to another image to determine, for example, if the identity of the captured image is the same as the other image. Kuperstein does not disclose or suggest displaying the subject information before photographing the image such that the photographed image can be recorded (e.g., easily recorded) in connection with the identification information of the subject.

Thus, Applicant submits that Wang and Kuperstein, either individually or in combination, clearly do not disclose or suggest all of the features of independent claims 15 and 19.

Dependent claims 16, 17, 20, and 21 also are patentable over Wang and Kuperstein, either individually or in combination, by virtue of their dependency from claims 15 and 19, respectively, as well as for the additional features recited therein.

Thus, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 5-7, 9, 10, 15-17, 19-21, and 39.

**D.** Claims 8, 18, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Kuperstein and further in view of TIFF.

Applicant submits that dependent claims 8, 18, and 22 also are not rendered obvious from Wang in view of Kuperstein, and further in view of TIFF by virtue of their

dependency from independent claims 1, 15, and 19, respectively, as well as for the additional features recited therein.

That is, neither Kuperstein nor TIFF makes up for the deficiencies of Wang. Indeed, Kuperstein and TIFF are not even relied upon for the features of independent claims 1, 15, and 19, for which Wang is deficient, as set forth above.

Thus, Applicant submits that Wang and Kuperstein, either individually or in combination, clearly do not disclose or suggest all of the features of dependent claims 8, 18, and 22.

Thus, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 8, 18, and 22.

E. Claims 14 and 23-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen.

However, Applicant respectfully submits that Allen does not disclose or suggest all of the features of the claimed invention. Therefore, Applicant respectfully traverses this rejection.

Independent claim 14 recites an image transmitting method, including:

*an input step of inputting destination information from an external device to a digital camera, the information being indicative of a destination of an image, wherein said input step inputs destination information to the digital camera using radio communication before photographing a subject to be photographed;*

*a photographing step of photographing the subject using the digital camera;*

*a recording step of recording the photographed image of the subject in connection with the destination information input in the input step; and*

*a transmitting step of transmitting the photographed subject image to the destination corresponding to the*

*destination information, on the basis of the destination information recorded in connection with the image (emphasis added).*

Accordingly, the claimed invention provides an image recording method and apparatus which can simplify the input of identification information on a subject, which enables an easy check on the correspondence between the subject identification information input before photographing and the subject to be photographed, and which can automatically record information in a format suitable for a database (e.g., see specification at page 3, lines 11-16).

The Examiner alleges that Allen discloses (see Allen at column 3, lines 1-2, 5-10, and 35-38; see also Figure 1, reference numeral 27) “*a method of entering e-mail address which is a destination for secondary communication lines*” (see Office Action at page 11, lines 1-3).

However, Applicant respectfully submits that Allen does not disclose or suggest at least “*an input step of inputting destination information from an external device to a digital camera, the information being indicative of a destination of an image, wherein said input step inputs destination information to the digital camera using radio communication before photographing a subject to be photographed*” as recited in independent claim 14 (emphasis added).

Instead, Allen merely discloses that “[t]he camera 10 includes an interface, such as a SCSI port, for connecting to an external input device 27 such as a keyboard or LCD touch screen. The external input device 27 may be used to enter information such as text annotation, electronic addresses or file names that are to be associated with photographer’s utterances. An example of this would be an e-mail address such as *maghadam@kodak.com* which is associated with a spoken command such as ‘address 1’,

or 'grandma' ” (see Allen at column 2, lines 63-67, and column 3, lines 1-4; emphasis added).

Moreover, Allen does not specifically disclose that the text annotations, electronic addresses, etc. are loaded before photographing the subject.

As the Examiner surely knows, each and every feature of the claimed invention must be disclosed or suggested in the cited reference, and in as complete detail and with the same arrangement as claimed, in order to anticipate or render obvious the claimed invention.

In this case, Allen clearly does not disclose or suggest the claimed “*an input step of inputting destination information from an external device to a digital camera, the information being indicative of a destination of an image, wherein said input step inputs destination information to the digital camera using radio communication before photographing a subject to be photographed*”, as recited in independent claim 14.

For example, Allen specifically discloses that “*a photograph captures the image of a scene with the digital camera 10, and verbally instructs the camera to perform one or more of the command functions listed in Table 1*” (see Allen as column 3, lines 49-52). Clearly, the inputted information of Allen is not information which is used to identify the destination of the image before photographing the subject, as claimed.

Instead, in describing “[t]he operation of the system with the voice recognition capability in the camera 10”, Allen specifically states that “[t]he photographer actuates the camera 10 to capture a digital image 52. Next, the photographer engages the microphone switch 54 and enters a voice command 56” (see Allen as column 4, lines 36-41; see also Figure 2).

As yet another example, Allen specifically discloses that “[f]irst, the photographer captures an image 82. Next, the photographer engages the microphone switch 84 and enters a voice command 86” (see Allen at column 5, lines 6-8).

Thus, Allen clearly does not disclose or suggest that the information loaded into the camera is even used by the camera until after the photograph is taken. That is, the loaded information of Allen is not information which is used to identify the destination of the image before photographing the subject, as claimed in claim 14.

For the foregoing reasons, Allen clearly does not disclose or suggest that such information loaded into the camera includes “*an input step of inputting destination information from an external device to a digital camera, the information being indicative of a destination of an image, wherein said input step inputs destination information to the digital camera using radio communication before photographing a subject to be photographed*” as claimed in independent claim 14.

As mentioned above, the device and method of Allen are not even concerned with inputting destination information of the image before taking the photograph of the subject, as with the claimed invention. Instead, Allen merely is directed to taking photographs (for example, by a sports photographer at a sporting event) and transmitting (using voice commands) such photographs to a destination via a wireless transmission to a local image fulfillment center for printing or further transmission (e.g., see Allen at column 1, lines 57-65).

Thus, for the foregoing reasons, independent claim 14 clearly is not anticipated by, or rendered obvious from, the disclosure of Allen.

For somewhat similar reasons as independent claim 14, Applicant submits that Allen also does not disclose or suggest all of the features of independent claims 23 and 36.

For example, independent claim 23 recites an image recording method, including:

*inputting added-to-image information added to an image of a subject to be photographed and display information associated with the added-to-image information to a digital camera from an external device using radio communication before photographing the subject to be photographed;*  
*displaying the display information on a display device of the digital camera on the basis of the display information input from the external device before photographing the subject to be photographed; and*  
*after photographing the subject, recording an image of the subject and the added-to-image information input from the external device in connection with the image (emphasis added).*

On the other hand, independent claim 36 recites an image recording system, including:

*an external device which outputs, using radio communication, added-to-image information added to an image of a subject to be photographed and display information associated with the added-to-image information; and*  
*a digital camera comprising:*  
*a display device which displays the display information on the basis of the display information input from the external device using radio communication before photographing the subject to be photographed; and*  
*a recording device which records an image of the subject after the subject has been photographed and records the added-to-image information input from the external device, in connection with the image (emphasis added).*

Thus, Applicant submits that Allen does not anticipate, or render obvious, the novel and unobvious combination of features defined by independent claims 23 and 36.



For the foregoing reasons, Applicant submits that all of the features of claims 14, 23, and 36 clearly are not disclosed or suggested by Allen. Therefore, the Examiner respectfully is requested to reconsider and withdraw this rejection and permit independent claims 14, 23, and 36 to pass to immediate allowance.

F. Claim 41 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang.

Somewhat similarly to claim 1 above, independent claim 41 recites an image transmitting method, including:

*inputting identification information on a subject and subject information, and destination information from an external device to a digital camera, before photographing the subject,*

*wherein the subject information includes information used by a photographer to confirm the identity of the subject, before photographing the subject, and*

*wherein the destination information includes information indicative of a destination of an image;*

*displaying, on the basis of the subject information, subject information for confirming the identity of the subject on a display device of the digital camera, before photographing the subject;*

*photographing the subject using the digital camera after confirming the identity of the subject on the basis of the subject information displayed on the display device;*

*recording the photographed image of the subject in connection with the identification information and the destination information input; and*

*transmitting the photographed subject image to the destination corresponding to the destination information, on the basis of the destination information recorded in connection with the image (emphasis added).*

For somewhat similar reasons as those set forth above with respect to independent claim 1, Wang clearly does not disclose or suggest all of the features of independent claim 41.

Thus, the Examiner is requested to reconsider and withdraw the rejection of independent claim 41.

### **III. FORMAL MATTERS AND CONCLUSION**

Applicants reiterate the request that the Examiner acknowledge receipt of and accept the formal drawings filed on January 30, 2002.

In view of the foregoing, Applicant submits that claims 1-41, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

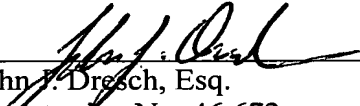
Serial No. 10/058,924  
Docket No. FJ-2001-041-US  
(MAS.012)

31

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: September 28, 2005

  
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